

**MINUTES  
BOARD OF REGENTS  
MIDWESTERN STATE UNIVERSITY**

**May 9, 2008**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 9:00 a.m., Friday, May 9, 2008. Regents in attendance were Mr. Munir Lalani, Chairman; Mr. Charles Engelman; Ms. Charlye Farris; Dr. Lynwood Givens; Dr. Carol Gunn; Mr. Stephen Gustafson; Mr. Shawn Hessing; and Mr. Ben Wible.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Friederike Wiedemann, Provost; Mr. Juan Sandoval, Vice President for Administration and Finance; Dr. Howard Farrell, Vice President for University Advancement and Student Affairs; Dr. Bob Clark, Vice President for Institutional Effectiveness and Enrollment Management; Dr. Emerson Capps, Associate Provost and Dean of Graduate Studies; Mr. Keith Lamb, Associate Vice President for Student Affairs; and Mr. Allen Goldapp, Associate Vice President for Facilities Services. Other university personnel attending the meeting included Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Dr. Robert Redmon, Chairman of the MSU Faculty Senate; Ms. Dianne Weakley, Director of Human Resources; Ms. Janus Buss, Director of Public Information and Marketing; Ms. Gail Ferguson, Controller; Ms. Valarie Maxwell, Director of Budget and Management; Ms. Cindy Ashlock, Assistant to the President; and Ms. Debbie Barrow, Executive Associate to the President. Representing the news media was Ms. Ann Work, reporter for the Wichita Falls *Times Record News*.

Chairman Lalani called the meeting to order at 9:00 a.m. Dr. Wiedemann presented the invocation and Ms. Buss introduced the guests. Mr. Lalani noted that graduation would be held Saturday, May 10, and expressed appreciation to the regents who were participating.

Public Comment

Mr. Lalani stated that in accordance with the Board of Regents By-Laws, MSU Policy 2.22, members of the public are invited to address the Midwestern State University Board of Regents through written and oral testimony. He noted that no one signed up to speak during this time.

Reading and Approval of Minutes

08-120. The minutes of the regular Board of Regents meeting February 14, 2008, were approved as presented.

Reading and Approval of Minutes

08-121. The minutes of the regular Board of Regents meeting February 15, 2008, were approved as presented.

Reading and Approval of Minutes

08-122. The minutes of the special Board of Regents meeting April 7, 2008, were approved as presented.

## **Executive Committee Report**

Mr. Lalani noted that since the Executive Committee items were not discussed during the meeting Thursday, the items would be discussed and acted upon by the full board.

### Reading and Approval of Minutes

08-88. Minutes of the Executive Committee meeting February 14, 2008, were accepted as presented.

### Texas Education Code and University Mission Statement – Proposed Modifications

08-89. Mr. Lalani reported that the current Midwestern State University mission statement was approved in 2005 and included wording indicating the university's aspiration to be the public liberal arts university of the state of Texas. In the summer 2006, MSU became the first and only Texas university member of the Council of Public Liberal Arts Colleges (COPLAC). The students, faculty, and administration of MSU believe that this identifiable niche for the university will bring continued positive recognition.

Legislative authorization for Midwestern State University is contained in Chapter 103 of the Texas Education Code. He presented the administration's recommendation that changes be submitted to the Texas Legislature during the 81<sup>st</sup> legislative session in 2009 as shown in the agenda document. Mr. Lalani noted that while wording changes may be necessary due to legislative rules and intent, the underlying message of the bill should remain that Midwestern State University will be identified legally as a public liberal arts university in the state of Texas.

The administration further recommended the modification of the first sentence of the university's mission statement as follows: *Midwestern State University ~~aspires to be the~~ **is a leading** public liberal arts university ~~of~~ **in** the state of Texas.*

Dr. Rogers indicated that it is extremely important for an institution of higher learning to know what it is, what its history is, and what it wants to be. A copy of the COPLAC brochure was presented to the board as a point of information (see Attachment 1). Dr. Rogers stated that Midwestern State University is a public liberal arts institution and is proud to be part of this organization. MSU offers a strong liberal arts core curriculum that is required of all MSU students.

Dr. Gunn moved approval of this item as presented. Mr. Hessing seconded the motion.

Mr. Lalani indicated that there is value in being known as a liberal arts institution. He asked if MSU would be the only institution so designated in the state. Dr. Rogers responded that currently COPLAC will only accept one school per state. However, that rule is being reviewed. The Texas Commissioner of Higher Education in Texas has indicated he will support this proposed legislation as long as it didn't include wording that would make MSU the "one and only" public liberal arts institution in the state. He stated he would support MSU leading in this effort.

There being no further discussion, the motion was approved.

Capital Expenditure and MPI Report - FY 2009-2013

08-90. Mr. Lalani reported that the Texas Higher Education Coordinating Board (THECB) requests an update of the university's five-year plan for construction, land acquisition, and major repair and renovation projects each year. The administration presented the proposed plan as shown in Attachment 2.

Dr. Rogers stated that while funding is not available in the foreseeable future for these projects, it is important for the administration and board to participate in this planning process focus on the priorities that are needed at MSU. He added that if the legislature were to sell Tuition Revenue Bonds this list would be of great importance. Dr. Rogers then noted a few of the projects on the MPI.

- A. Moffett Library – the university needs a modern library facility that is more accessible and more in tune with the philosophy of academic libraries today. He added that it may be better to build an entirely new facility rather than trying to renovate the existing library in stages.
- B. Ligon Coliseum Phase II – the current project will not address all of the work that needs to be accomplished in Ligon. A Phase II will thus be necessary.
- C. Martin Hall – this facility was originally the university library and it now houses three academic programs. Dr. Rogers noted that later in the meeting the administration would recommend funding for a minor renovation, the building needs a great deal of work to bring it up to current standards.

Dr. Gunn moved approval of the list as presented. Ms. Farris seconded the motion.

Mr. Engelman asked who would sell the bonds for these projects. Mr. Sandoval indicated that bonds are sold with the guidance of the Texas Public Finance Authority and the Texas Bond Review Board, following approval by THECB. Mr. Engelman added that he spent time with Dr. Rogers and Mr. Sandoval earlier in the week concerning this matter, specifically with regard to the source of funds for these projects.

Mr. Hessing indicated his understanding that the board's action today was not approval to move forward with any of the projects, just approval to put the project on the master plan. Dr. Rogers confirmed that was correct and noted that the projects would be discussed significantly in the future if plans move forward. Mr. Sandoval added that the amounts in the plan are estimates.

There being no further discussion, the motion was approved.

Student Health and Wellness Center Project

08-91. Mr. Lalani presented the administration's request for authorization to increase the budget for the Student Health and Wellness Center project by \$800,000, from \$13.4 million to \$14.2 million. These additional funds would be used to purchase fitness equipment and supplies, audio/visual equipment, and health center equipment, and provide for other project costs including raising the Sikes Lake bridge. The recommended sources of funds would be the Student Recreation Center Fee fund balance, the Wellness Center Fee fund balance, and Unallocated Student Service Fee Reserve.

Dr. Rogers reported that the project is progressing nicely. It appears to be on time and within cost. Mr. Lamb added that the administration started working with the student body in 2004 concerning a fee to build this facility.

Mr. Gustafson moved approval of this item as presented. Mr. Engelman seconded the motion and it was approved.

#### Martin Hall Renovation

08-92. Mr. Lalani reported that during the last year significant air quality problems were identified in Martin Hall. As a result, all classes and offices were moved out of the facility. Studies were conducted to determine the best possible plan of action with regard to this building. The administration requested authorization to enter into a building construction contract not to exceed \$400,000 to complete HVAC upgrades for humidity control and perform minor renovations in Martin Hall. Local unrestricted funds, asbestos fund proceeds, and HEAF funds have been identified as funding sources for this project.

Dr. Rogers reported that the departments of health and public administration, social work, and criminal justice were previously housed in Martin. These are large departments and the 14 faculty are currently scattered throughout the campus.

Mr. Goldapp stated that the building does not meet current standards as far as outdoor air intake into the building. The building has been abated and it is in a construction ready condition. Dr. Rogers noted that while this is a temporary fix, it will allow the faculty and students to safely use the facility.

Dr. Gunn moved approval of this item as presented. Mr. Wible seconded the motion and it was approved.

#### Clark Student Center Recreation Room Renovation

08-93. Mr. Lalani commented that the recreation room in the Clark Student Center is in need of expansion and refurbishment to meet the needs of the student body. The total cost of the project is expected to be less than \$100,000. The administration requested authorization to utilize up to \$100,000 from the Student Union Fee fund balance to finance this project.

Mr. Lamb noted that this is a heavily used room. It is too small for a student population the size of MSU. It is worn out and needs refurbishing and enlarging.

Mr. Givens asked when the work would be accomplished. Mr. Lamb responded that the work would be done over the summer so that the room would be ready at the beginning of the fall semester. Mr. Gustafson asked how the room would be enlarged. Mr. Lamb responded that the current vestibule at the entrance to the room will be removed and the room squared. Additionally, the large service desk in the room will be removed and televisions will be recessed into the walls where possible. Mr. Lalani asked about the total square footage of the existing room. Mr. Goldapp estimated that it is likely 50 x 50 and the expansion will likely result in an additional 75 square feet in usable space.

Mr. Gustafson moved approval of this item as presented. Mr. Hessing seconded the motion and it was approved.

### Executive Session

Mr. Lalani announced that the Board of Regents would go into closed session as allowed by the Texas Government Code Chapter 551, Section 551.072, Real Property, to consider Item 08-94 (Possible Purchase of Property). The closed session was properly announced at 9:48 a.m. Board members, Dr. Rogers, Dr. Wiedemann, Dr. Clark, Mr. Sandoval, Dr. Farrell, Mr. Lamb, Mr. Spencer, Ms. Weakley, Mr. Carr, and Ms. Barrow remained for the discussion.

### Open Meeting Resumes

The closed session ended at 10:03 a.m. with an announcement by Mr. Lalani that no action was taken during Executive Session. The open meeting resumed at 10:15 a.m.

### Possible Purchase of Property

08-94. Mr. Lalani noted that no action would be taken concerning this item.

### **Finance and Audit Committee Report**

Mr. Lalani noted the item presented at the Finance and Audit Committee Meeting for committee approval only. Information concerning this item can be found in the minutes of the Finance and Audit Committee Meeting held May 8, 2008.

### Item Presented for Committee Approval Only

08-95. Committee Minutes, 2/14/08 – approved by committee as presented.

### Finance and Audit Committee Consent Agenda

The following items were approved by the Finance and Audit Committee and placed on the Consent Agenda for consideration by the board.

08-96. Review and Acceptance of Financial Reports – accepted the January, February, and March, 2008, Financial Reports as presented.

08-97. FY 2007-2008 Items \$50,000 & Under Approved by President – ratified these items as presented.

08-98. Salary/Title/Position Changes in FY 07-08 Budget Approved per Board Authorization – ratified changes as presented.

08-99. Faculty Positions 2008-2009 Budget – Critical Faculty Needs – approved the addition of four faculty positions as presented.

08-100. Writing Proficiency Exam Fee – approved adding \$25 to the fee students pay to take the exam if a test must be added to the regular schedule because students failed to take the exam at the indicated time.

08-101. Consideration of Tuition and Fee Increases – authorized increasing the Graduate Tuition Surcharge from \$30 to \$40 per semester credit hour effective with the spring 2009 semester.

Mr. Lalani asked if there were items any member wanted to remove from the Consent Agenda. There being none, Dr. Gunn moved approval of the Consent Agenda. Mr. Wible seconded the motion and it was approved.

### **Personnel and Curriculum Committee Report**

Dr. Gunn noted the items presented at the Personnel and Curriculum Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the Personnel and Curriculum Committee Meeting held May 8, 2008.

#### Item Presented for Committee Approval Only

08-102. Committee Minutes, 2/14/08 – approved by committee as presented.

#### Items Presented for Information Only

08-103. Faculty Report

08-104. Review of Personnel Reports for FY 07-08 Budget

#### Personnel and Curriculum Committee Consent Agenda

The following items were approved by the Personnel and Curriculum Committee and placed on the Consent Agenda for consideration by the board.

08-105. Holiday Schedule for Staff Employees – 2008-2009 – approved the holiday schedule as presented.

08-106. May 2008 Graduating Class – approved the list of candidates for graduation as presented.

08-107. Organization Change – College of Business Administration – approved the realignment in the departments within the Dillard College of Business Administration as presented.

08-108. *MSU Policies and Procedures Manual* Changes – approved changes and new policies as presented:

- A. NEW POLICY – Hiring of Academic Administrators With or Without Faculty Tenure
- B. Policy 3.128 – Administrators with Faculty Appointment
- C. Policy 3.120 – Faculty Tenure and Promotion Policy
- D. Policy 3.127 – Faculty Workload Policy
- E. Policy 3.136 – Faculty Development Leave
- F. Policy 3.341 – Family and Medical Leave
- G. NEW Policy – Staff Senate Constitution

08-109. Emeritus Status for Retiring Faculty – approved emeritus status for the following individuals:

- Dr. Emerson Capps – Emeritus Professor of Counseling Education – 38 years
- Dr. Michael Flavin – Emeritus Professor of Political Science – 39 years
- Dr. Alfred Stewart – Emeritus Professor of English and Philosophy – 35 years

08-110. Faculty Promotions – approved the following promotions:

From the Rank of Instructor to Assistant Professor:

Tina Johnson, M.S.                      Computer Science

From the Rank of Assistant Professor to Associate Professor:

Peter Fields, Ph.D.                      English

Charles Johnston, Ph.D.                Management Information Systems

James Johnston, Ph.D.                 Radiologic Sciences

From the Rank of Associate Professor to Professor:

Idir Azouz, Ph.D.                        Engineering

Lon Kilgore, Ph.D.                      Kinesiology

James Schuppener, D.M.A.             Music

08-111. Faculty Tenure – approved granting tenure to the following faculty:

Idir Azouz, Ph.D.                        Engineering

David Carlston, Ph.D.                  Psychology

Kirk Harlow, D.P.H.                     Health and Public Administration

Patricia Hamilton, Ph.D.                Nursing

Suguru Hiraide, M.F.A.                 Art

Jane Owen, Ph.D.                        Educational Leadership and Technology

James Schuppener, D.M.A.             Music

Frank Wyatt, Ed.D.                      Kinesiology

Mr. Lalani asked if there were items any member wanted to remove from the Consent Agenda. There being none, Dr. Gunn moved approval of the Consent Agenda. Mr. Hessing seconded the motion and it was approved unanimously.

**Student Services Committee Report**

Ms. Farris noted the items presented at the Student Services Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the Student Services Committee Meeting held May 8, 2008.

Item Presented for Committee Approval Only

08-112. Committee Minutes, 2/14/08 – approved by committee as presented.

Item Presented for Information Only

08-113. Student Government Report

**University Development Committee Report**

Mr. Gustafson noted the items presented at the University Development Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the University Development Committee Meeting held May 8, 2008.

Item Presented for Committee Approval Only

08-114. Committee Minutes, 2/14/08 – approved by committee as presented.

Item Presented for Information Only

08-115. Summary of Gifts, Grants, and Pledges 9/1/07 – 4/11/08

University Development Committee Consent Agenda

The following item was approved by the University Development Committee and placed on the Consent Agenda for consideration by the board.

08-116. Naming of University Facilities and Entities – authorized the naming of the following:

- A. Name the new engineering building (formerly Fowler Hall) “McCoy Engineering Hall.”
- B. Name the first floor center labs in the new engineering building the “Phil and Aurora Bolin Engineering Laboratories.”
- C. Name the hexagonal lab at the back of the first floor of the new engineering building “The Priddy Foundation Thermofluid Laboratory.”
- D. Name the computer lab on the second floor of the new engineering building the “J. S. Bridwell Computer Laboratory.”
- E. Name the MSU department of art “The Juanita and Ralph Harvey School of Visual Arts.”
- F. Name the art gallery in the Fain Fine Arts Building “The Juanita Harvey Art Gallery.”

Mr. Lalani asked if anyone wanted to remove this item from the Consent Agenda. There being no response, Mr. Engelman moved approval of the Consent Agenda. Mr. Wible seconded the motion and it was approved unanimously.

**Athletics Committee Report**

Mr. Wible noted the items presented at the Athletics Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the Athletics Committee Meeting held May 8, 2008.

Item Presented for Committee Approval Only

08-117. Committee Minutes, 2/14/08 – approved by committee as presented.

Item Presented for Information Only

08-118. Athletics Status Report

**Other Business**



Nominating Committee for Board Officers for the Remainder of the 2007-2008/2008-2009 Biennium

08-123. On behalf of the Nominating Committee, Mr. Gustafson recommended the following individuals to serve on the Executive Committee of the Board of Regents for the remainder of the biennium:

Vice Chairperson	Dr. Carol Gunn
Secretary	Mr. Reno Gustafson
Member-At Large	Mr. Ben Wible

Mr. Wible seconded the motion and it was approved.

President's Report and Discussion

08-124. Dr. Rogers presented information to the board concerning various university matters.

- A. Formula Advisory Committee Recommendations – Dr. Rogers reported that it had been his pleasure during the last two years to chair THECB Formula Advisory Committee. The Commissioner of Higher Education received the committee's report, made some changes, and submitted his recommendations. The committee and the Commissioner had differing opinions; however, they are quite close in the final recommendations. The Commissioner recommended that base funding be emphasized and recommended \$300 million be put into base funding for the 35 senior public institutions. He recommended that \$178 million be put into a new formula called the "Success Formula." Through this formula all institutions would receive additional funding based on its graduates. He recommended \$254 million to fund an infrastructure formula. Dr. Rogers noted that while there is not likely enough money for these recommendations to be approved, it is hoped that the legislature will listen to the need for base funding. The Commissioner also recommends that formula funding be allocated based upon the number of students that complete courses, rather than those that enroll. Funding would be redistributed fairly significantly if this were to happen with MSU losing funding. Dr. Rogers indicated that funding for the next biennium is critical for higher education.
- B. Legislative Appropriations Request (LAR) and Special Items – during the next few weeks the administration will begin putting together MSU's LAR that will be considered by the Texas Legislature in the spring 2009 legislative session. Depending on the date the LAR is due it may be necessary to schedule a special board meeting in the summer. The only special item planned at this time is funding for the Academic Support Center and student success initiatives.
- C. Construction Update – campus construction is going well.
  - 1. McCoy Engineering Hall will be occupied in the spring 2009.
  - 2. Coliseum and Band Hall Projects – planning on both projects continues but infrastructure issues have slowed the process. Mr. Goldapp reported that he hoped to be in the design phase on the Coliseum in the summer. The Band Hall location on the east side of the Fain Fine Arts Center has been problematic due to underground utilities.

3. New Student Housing – construction documents should be 90% complete by the end of May and the project is on schedule.

Mr. Lalani noted that Dr. Givens would be the commencement speaker at the afternoon ceremony Saturday. He asked board members to let him know if they had a particular interest in serving on a particular committee.

Adjournment

There being no further business, the meeting was adjourned at 10:41 a.m. The next regularly scheduled meetings of the Board of Regents will be Thursday and Friday, August 7 and 8, 2008.

ORIGINAL MINUTES SIGNED

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Stephen A. Gustafson, Secretary

I, Stephen Gustafson, the fully appointed and qualified Secretary of the Midwestern State University Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the minutes of the Midwestern State University Board of Regents meeting May 9, 2008.

ORIGINAL MINUTES SIGNED

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Stephen A. Gustafson, Secretary

ATTACHMENT:

1. COPLAC Brochure
2. MP1 Recommendation